

App. Ser. No.: 10/696,310
Atty. Doc. No.: D03049

REMARKS

In the Office Action mailed on September 21, 2005, the Examiner rejected claims 1-4 and 15-17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,473,719 to Embree et al. in view of U.S. Patent Publication No. 2002/0159577 to Vardi et al.; rejected claims 5-12 and 18-19 under 35 U.S.C. 103(a) as being unpatentable over Embree et al. in view of Vardi et al. and further in view of U.S. Patent No. 6,178,241 to Zhou; and rejected claim 21 under 35 U.S.C. 102(b) as being anticipated by Zhou. The Examiner also indicated claims 13-14 and 20 contained allowable subject matter.

In response, Applicant has amended claims 1, 14 and 16 and cancelled claims 9-10, 12, 13 and 20. No new matter has been added.

Independent claims 1 and 16 have been amended to include limitations previously listed in claims 13 and 20 and indicated as allowable. Amended claims 1 and 16 are therefore allowable.

With respect to claim 21, Applicant disagrees with the Examiner's conclusions. The Examiner assumes, and provides no evidentiary support, that the Line Card 500 shown in Zhou includes a polling timer. First, in the previous Office Action, the Examiner admitted that this structure was NOT in Zhou but was an obvious modification to Zhou. Now the Examiner indicates that this structure is an inherent part of Zhou without citing to any authority to support this conclusion. The Examiner must provide some support for the conclusion about what is in Zhou's circuit. Conclusions are not enough.

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CONCLUSION

No additional fees beyond those necessary for the Petition for an Extension of time are believed due. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the rejections made in the last Office Action and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

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